

Town Hall  
183 Main Street  
Cornwall, NY 12518  
(845) 534-3760  
fax: (845) 534-4342

Town of Cornwall



Orange County, New York

Office of the Supervisor  
Kevin Quigley  
Town Supervisor

## AGENDA

### Cornwall Town Board

Regular Meeting – Monday, January 14, 2013  
7:30 pm

7:00 P.M. Public Hearing – Vehicle & Traffic Law

Pledge of Allegiance

Approval of Minutes – December 10, 2012 Regular Meeting; January 2, 2013 Reorganization Meeting; January 2, 2013 Special Meeting (Public Hearing Towing Law); January 7, 2013 Work Session

#### Public Comment Agenda Items

1. Resolution - COVAC - MedEx Billing Contract
2. Resolution – COVAC – Schedule of Fees
3. Resolution – COVAC Annual Contract
4. Resolution – Adopt Local Law - V&T
5. Resolution – Adopt Local Law - Towing
6. Resolution – Office of the Aging Vendor Service Contract – Senior Transportation
7. Resolution – Pavement Markings Agreement with Orange County
8. Resolution – Mill Street Notice of Violation & Order of the Town Board
9. Resolution – Humane Society of Blooming Grove
10. Resolution – Set Public Hearing – Tax Bill Enclosures
11. Resolution – Taylor Road Bridge Inter-Municipal Agreement
12. Resolution – Tamara Lane Drainage
13. Receiver of Taxes Letter
14. Local Laws No. 5 & 6 of 2012 filed in Secretary's Office
15. Cornwall Little League – Eagle Scout Project
16. Building Department – Vehicle Purchase
17. General Code – Update 2012 Local Laws
18. COVAC – Time Warner Phone, Cable & Internet
19. Association of Towns – Designate Delegate; Requests to Attend
20. Personnel:
  - Training: Building Department
  - Appointments: Conservation Advisory Committee
  - Resignation: Police Department

Committee Reports  
Warrant #1  
Public Comment  
Adjournment

email: [kquigley@cornwallny.gov](mailto:kquigley@cornwallny.gov) • website: [www.cornwallny.gov](http://www.cornwallny.gov)

WHEREAS, the Town of Cornwall Ambulance District provides pre-hospital emergency medical service through the Cornwall Volunteer Ambulance Corps ("COVAC"); and

WHEREAS, the Town Board, on behalf of the Ambulance District, has established a schedule of fees for pre-hospital emergency medical services; and

WHEREAS, such fees will be charged by and through COVAC with the collected proceeds being paid over to and used exclusively for the Town Ambulance District, and

WHEREAS, the Town has received a proposed contract from MedEx Billing, Inc., to provide third-party billing for emergency medical service rendered by COVAC on behalf of the Ambulance District, a copy of which is annexed hereto,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby approves the proposed contract received from Medex Billing, Inc., and
2. That the Town Supervisor is authorized to execute the same along with any documents necessary to effectuate it.

\_\_\_\_\_ presented the foregoing  
resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/264732  
254-34665  
12/7/12

WHEREAS, the Town has established an Ambulance District which incorporates substantially all of the unincorporated area of the Town as well as the Village of Cornwall-on-Hudson, and

WHEREAS, pursuant to General Municipal Law §122-b(2) the Town's Ambulance District is authorized to charge fees for provision of pre-hospital emergency medical services; and

WHEREAS, any and all amounts collected for such fees shall belong to the Ambulance District and be used solely to defray the expenses incurred in its operation,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That, pursuant to General Municipal Law §122-b(2), the Town Board determines that the Cornwall Ambulance District shall charge fees for provision of pre-hospital emergency medical services, and
2. That the attached schedule of fees for pre-hospital emergency medical services is hereby established.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/264741

254-34665

12/7/12

**Cornwall Ambulance District: Schedule of Fees**

<b><u>Description of Service Rate</u></b>	<b><u>Medicare Rate</u></b>	<b><u>Non-Medicare</u></b>
Basic Life Support Emergency	\$364.86	\$725.00
Advanced Life Support Emergency Level 1	\$433.27	\$850.00
Advanced Life Support Emergency Level 2	\$627.10	\$900.00
Advanced Life Support RMA (Refusing Medical Aid)	N/A	\$525.00
Advanced Life Support Assist	N/A	\$525.00
Intercept Advanced Life Support II	N/A	\$625.00
Mileage	\$6.87	\$14.50

WHEREAS, the Town has established an Ambulance District which incorporates substantially all of the unincorporated area of the Town as well as the Village of Cornwall-on-Hudson, and

WHEREAS, the Cornwall Volunteer Ambulance Corps. ("COVAC") is willing to operate ambulance vehicles and provide pre-hospital emergency medical service for the Ambulance District, and

WHEREAS, it is the practice of the Town and COVAC to enter into annual contracts for the provision of pre-hospital emergency medical services on behalf of the Town's Ambulance District, and

WHEREAS, the Town Board has before it the draft contract with COVAC for the year 2013,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby approves the proposed 2013 contract with COVAC, and
2. That the Town Supervisor is authorized to execute the same along with any documents necessary to effectuate it.

\_\_\_\_\_ presented the foregoing  
resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/264730

254-34665

12/7/12



WHEREAS, the Town Board is considering the adoption of a local law entitled: A local law amending Chapter 143 of the Code of the Town of Cornwall entitled "Vehicles and Traffic", and

WHEREAS, following due notice the Town Board held a public hearing on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby adopt the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/268817  
254-64903.11  
1/11/13

## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of CORNWALL

Local Law No. \_\_\_\_\_ of the year 20<sup>13</sup>

A local law amending Chapter 143 of the Code of the Town of Cornwall entitled "Vehicles and Traffic"  
(Insert Title)

Be it enacted by the TOWN BOARD \_\_\_\_\_ of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of CORNWALL \_\_\_\_\_ as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

A local law amending Chapter 143 of the Code of the Town of Cornwall entitled "Vehicles and Traffic"

SECTION 1. PURPOSE

The local law amends Town Code §143-29 Schedule VI: "Trucks Over Certain Weight Excluded".

SECTION 2. CODE AMENDMENT

§143-29 Schedule VI: Trucks Over Certain Weight Excluded is amended as follows:

Name of Street	Weight Limit	Location
Laurel Avenue	5 Ton	between NYS Route 9W and Elm Street except for local deliveries

SECTION 3. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

SECTION 4. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20<sup>13</sup> of the (County)(City)(Town)(Village) of CORNWALL was duly passed by the TOWN BOARD on January 14, 20<sup>13</sup>, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on 2000, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. (Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law. (Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body  
Renata McGee, Town Clerk

Date: \_\_\_\_\_ January \_\_\_\_\_, 2013

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature  
STEPHEN J. GABA, ATTORNEY

Title

County  
City of CORNWALL  
Town  
Village

Date: \_\_\_\_\_ January \_\_\_\_\_, 2013

WHEREAS, heretofore the Town Board has considered the adoption of a local law entitled: A local law amending Chapter 137 of the Code of the Town of Cornwall entitled "Towing", and

WHEREAS, following due notice the Town Board held a public hearing on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby adopt the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/267232  
254-64903.09  
12/31/12

## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village  
(Select one.)

of CORNWALL

Local Law No. \_\_\_\_\_ of the year 20<sup>13</sup>

A local law amending Chapter 137 of the Code of the Town of Cornwall entitled "Towing"  
(Insert Title)

Be it enacted by the TOWN BOARD \_\_\_\_\_ of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village  
(Select one.)

of CORNWALL \_\_\_\_\_ as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

A Local Law to amend Town Code Chapter 137 by amending Town Code Section 137-5 "Additional Requirements For Participating In Towing List."

SECTION 1. PURPOSE

The purpose of this Local Law is to amend the Town Code's provisions regarding Towing to improve the operation of the Town's towing list program.

SECTION 2. AMENDMENT OF CODE.

1. Town Code Section 137-5(2)(D) is hereby repealed and re-enacted to read as follows:

D. Ability to provide timely service. The applicant must provide a statement that the applicant employs at least three wrecker operators and maintains twenty-four hour service capability. The applicant shall have at its storage/impound yard an employee during regular business hours to respond to persons claiming stored or impounded vehicles. The applicant must also be available to respond to persons claiming stored or impounded vehicles on Saturdays by appointment upon reasonable notice, and shall keep on file with the Town a telephone number which persons seeking to claim stored or impounded vehicles on Saturdays may use to make such appointments.

2. A new paragraph "J" is hereby added to Town Code Section 137-5(2) reading:

J. Response to service calls. Participants in the Town's rotational towing list program shall furnish a telephone number for contacting them twenty-four hours a day. The telephone number provided shall not be a pager system, and must provide a direct connection to a person. If a towing list participant whose day to be called has arrived on the rotational towing list does



not answer the telephone on a call for service from or made on behalf of the Town of Cornwall Police Department, or fails to respond to such a call in a timely manner, regardless of the hour of the day or weather conditions, that applicant shall automatically be suspended from the towing list for thirty days.

3. A new paragraph "K" is hereby added to Town Code Section 137-5(2) reading:

K. Refusal to tow a vehicle. If a participant in the Town's rotational towing list program responds to a service call, such participant must tow away or otherwise remove the subject motor vehicle or motor vehicles if it has the capability of doing so. Willful failure to tow away or otherwise remove the subject motor vehicle or motor vehicles after arriving at an incident scene shall automatically result in suspension from the towing list for thirty days.

### SECTION 3. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the language directly involved in the controversy in which judgment shall have been rendered.

### SECTION 4. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20<sup>13</sup> of the (County)(City)(Town)(Village) of CORNWALL was duly passed by the TOWN BOARD on 20<sup>13</sup>, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on 20<sup>0</sup>, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. (Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law. (Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 \_\_\_\_\_ above.

Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body  
Renata McGee, Town Clerk

Date: \_\_\_\_\_

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature  
STEPHEN J. GABA, ATTORNEY  
Title

County  
City of CORNWALL  
Town  
Village

Date: \_\_\_\_\_

WHEREAS, the County of Orange on behalf of the Orange County Office for the Aging has presented the 2013 Agreement for Vendor Services between the County and the Town, and

WHEREAS, the Town Board has considered the agreement and is prepared to authorize its execution by the Supervisor,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board hereby agrees to enter into the 2013 Agreement for Vendor Services between the County of Orange and the Town, and

2. The Town Board hereby authorizes the Supervisor to execute the agreement and forward the same to the County of Orange.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/268400  
254-65400  
1/10/13

WHEREAS, the Town of Cornwall has received an Agreement for Application of Pavement Markings by the County on Town, Village and City Highways Within Orange County, and

WHEREAS, it would be in the best interests of the Town to enter into the Agreement with the County,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby agree to enter into the Agreement for Application of Pavement Markings by the County on Town, Village and City Highways Within Orange County and authorizes the Supervisor to execute the same, and

BE IT FURTHER RESOLVED,

That the Town agrees to provide the County with the required certificates of insurance together with the Agreement executed by the Supervisor.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/268397  
254-65400  
1/10/13

WHEREAS, the Building Inspector of the Town of Cornwall, Gary A. Vinson, has rendered a report to the Town Board pursuant to Town Code §115-6 regarding an alleged violation of the property maintenance provisions of the Town of Cornwall Code on the premises located at 2 Mill Street, Cornwall, New York, and

WHEREAS, the Town Board has reviewed the findings and recommendations of the Building Inspector as set forth in his report regarding removal of the materials and the conditions maintained on the said property in violation of Town Code Chapter 115,

NOW, THEREFORE, the Town Board hereby resolves as follows:

1. THAT the Town Board finds that the report received from the Building Inspector substantiates that the property located at 2 Mill Street, Cornwall, New York is in violation of the property maintenance provisions of the Town Code and that steps to remedy the said condition should be taken forthwith,

2. THAT pursuant to Town Code §115-7 a hearing shall be held before the Town of Cornwall Town Board on February 5, 2013 at 7:00 p.m., at which the property owner may answer the charges of the alleged violation of the Town Code's property maintenance provisions, and

3. THAT the Notice of Violation & Order attached hereto shall be served upon the record owner of the said property and the occupant, if any, no later than five (5) days prior to the date set for the said hearing as prescribed by Town Code §115-7.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_.

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

**NOTICE OF VIOLATION &  
ORDER OF THE TOWN BOARD**

**TO:** CORNWALL WAREHOUSING INC.  
P.O. Box 332  
Cornwall, New York 12518

WHEREAS, it appears from the deeds on file with the County Clerk that CORNWALL WAREHOUSING, INC., is the record owner of certain real property located at 2 Mill Street, Cornwall, New York, (Tax Map Section 43, Block 1, Lot 1); and

WHEREAS, the Town of Cornwall Building Inspector has rendered a report to the Town Board in regard to the ongoing property maintenance violations on the said premises, a copy of which is attached hereto, in which is set forth a statement of the particular conditions existing at the premises which are in violation of the Town Code as well as the actions which must be taken to correct the said violation,

NOW, THEREFORE,

IT IS HEREBY ORDERED THAT the property owner must commence correction of the violation on the property within thirty (30) days of the service of this Notice of Violation and must complete work within sixty (60) days thereafter, unless for good cause shown the time shall be extended by the Town Board; and

NOTICE IS HEREBY GIVEN THAT a hearing on this matter, at which the property owner and all interested parties shall be given an opportunity to be heard, shall be held before the Town Board of the Town of Cornwall at Town Hall, 183 Main Street, Cornwall, New York 12518 on Tuesday, February 5, 2013 at 7:00 p.m. at which time the Town Board will consider whether to affirm, modify or vacate this Order, and



FURTHER NOTICE IS HEREBY GIVEN THAT in the event that the property owner neglects or refuses to comply with the Order herein, the Town Board has authority to proceed with measures to remedy the violation and that all expenses incurred by the Town shall be assessed against the said lands and shall be levied and collected in the same manner as provided in Article 15 of the Town Law for the Levy and Collection of a Special Ad Valorem Levy. However, the Town is not obligated to take any steps to remedy the condition and, in the alternative, may commence a civil action pursuant to Town Code §115-11 in New York State Supreme Court for injunctive relief to require the property owner to remedy the condition and to recover of civil penalties.

Dated: January \_\_\_\_, 2013

TOWN BOARD, TOWN OF CORNWALL  
ORANGE COUNTY, NEW YORK

\_\_\_\_\_  
D. Kevin Quigley, Supervisor

\_\_\_\_\_  
Alexander Mazzocca, Councilman

\_\_\_\_\_  
Randolph S. Clark, Councilman

\_\_\_\_\_  
Elizabeth Longinott, Councilwoman

\_\_\_\_\_  
Mary Beth Greene-Krafft, Councilwoman

SJG/ef/268829  
254-6480101  
1/9/13

STATE OF NEW YORK:  
COUNTY OF ORANGE : ss.  
TOWN OF CORNWALL :

I, RENATA MCGEE, the Town Clerk of the Town of Cornwall, County of Orange, State of New York, do hereby certify that I have compared the preceding Notice of Violation & Order of the Town Board with the original thereof filed in my office on the \_\_\_\_ day of January, 2013 and that the same is a true and correct copy of said original and the whole thereof, as far as the same relates to the subject matters referred therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Cornwall this \_\_\_\_ day of January, 2013.

\_\_\_\_\_  
RENATA MCGEE  
Town Clerk  
Town of Cornwall

(seal)

WHEREAS, the Town of Cornwall has received a renewal Agreement from the Humane Society of Blooming Grove ("Humane Society") for the boarding and care of dogs seized by the Town of Cornwall's Dog Control Officer or any Town Police Officer for the period January 1, 2013 through December 31, 2013, and

WHEREAS, it would be in the best interests of the Town to enter into the Agreement with the Humane Society,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby agree to enter into the annexed Agreement with the Humane Society and authorizes the Supervisor to execute the same.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/268550  
254-65400  
1/10/13

WHEREAS, the Town Board of the Town of Cornwall has a local law before it entitled: A Local Law to amend Town Code Chapter 132 by adding "ARTICLE VII. TAX BILL ENCLOSURES", and

WHEREAS, the local law would authorize the Town Board to include with its tax bill, enclosures in a manner that is in accordance with Section 1826 of the Tax Law of NYS,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the attached proposed local law, and
2. That a public hearing on the proposed local law be set for February \_\_\_\_\_, 2013 at \_\_\_\_\_ o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/268822  
254-65403.01  
1/11/13

## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of CORNWALL

Local Law No. 2 of the year 2013

A local law to amend Town Code Chapter 132 by adding "ARTICLE VII. TAX BILL ENCLOSURES"  
(Insert Title)

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of CORNWALL as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2013 of the (County)(City)(Town)(Village) of CORNWALL was duly passed by the TOWN BOARD on 20 13, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on 20 0, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. (Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law. (Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

TOWN OF CORNWALL LOCAL LAW NO. OF 2013

A Local Law to amend Town Code Chapter 132 by adding  
"ARTICLE VII. TAX BILL ENCLOSURES."

SECTION 1. PURPOSE

The purpose of this Local Law is to amend the Town's Taxation Code to authorize the Town Board of the Town of Cornwall to include with its tax bill enclosures in a manner that is in accordance with § 1826 of the Tax Law of the State of New York.

SECTION 2. AMENDMENT OF CODE.

1. Town Code Section Chapter 132, "Taxation," is hereby amended to add:

ARTICLE VII. TAX BILL ENCLOSURES.

§ 132.14 Statutory authority.

This local law is adopted pursuant to the power granted to towns to adopt local laws by § 10(a)(xii) and § 22 of the Municipal Home Rule Law to authorize the Town to include appropriate notices in mailings with tax bills, and is in accordance with § 1826 of the Tax Law of the State of New York as it is not violative of the prohibitions of § 1826 of the Tax Law.

§ 132.15 Definitions.

As used in this article the following terms shall have the meanings indicated:

INSERTION

A notice, circular, pamphlet, card, handbill, or other enclosure concerning a matter of public concern.

TAX BILLS

An annual tax bill of the Town of Cornwall or any special district thereof, or notification of a tax to be levied or assessed by the Town of Cornwall, or any special district thereof, or any receipt from

the payment of any tax or levy, but excluding the school tax bill of any school district located partly or wholly within the Town of Cornwall.

§ 132.16 Requirements for insertions.

Insertions shall be included with a tax bill of the Town of Cornwall only if:

- A. The insertion has been authorized by a resolution of the Town Board.
- B. The insertion shall include upon it a notation that it is included with the tax bill "by order of the Town Board of the Town of Cornwall."
- C. The insertion may mention elected officials of the Town of Cornwall by office but no elected official shall be mentioned by name.
- D. The insertion must not include any and all matter that is of a political nature, is propaganda, or is any type of advertising

SECTION 3. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

SECTION 4. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.



**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 \_\_\_\_\_ above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body  
Renata McGee, Town Clerk

Date: \_\_\_\_\_

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature  
STEPHEN J. GABA, ATTORNEY  
\_\_\_\_\_  
Title

County  
City of CORNWALL  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Date: \_\_\_\_\_

WHEREAS, heretofore the Town had applied for and received Transportation Improvement Program (TIP) grant monies for the Taylor Road Bridge project in the amount of \$500,000.00, and

WHEREAS, on July 5, 2006 the Town Board adopted a resolution agreeing to enter into an inter-municipal agreement with the County of Orange and authorizing the Supervisor to execute said agreement together with such other documents as may be necessary, and

WHEREAS, the County of Orange assumed responsibility for the improvement to Taylor Road Bridge in accordance with said inter-municipal agreement, and

WHEREAS, the County has forwarded a Certification for Design Approval to be executed by the Supervisor which is required in order to move the project forward,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby authorize the Supervisor to execute the annexed Certification on behalf of the Town of Cornwall.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/268770

254-5460004

1/11/13



*Edward A. Diana*  
*County Executive*

**ORANGE COUNTY  
DEPARTMENT OF PUBLIC WORKS**

**Charles W. Lee, P.E.**  
*Commissioner*

**P.O. Box 509, 2455-2459 Route 17M  
Goshen, New York 10924-0509  
[www.orangecountygov.com](http://www.orangecountygov.com)  
TEL (845) 291-2750 FAX (845) 291-2778**

**CERTIFICATION  
for  
Design Approval**

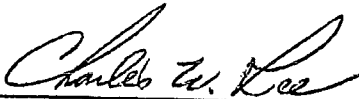
**PIN 8759.22  
*Taylor Road Bridge Replacement  
Town of Cornwall, Orange County***

I, **Charles W. Lee, P.E., Commissioner**, being the **County of Orange** Responsible Local Official for the above-referenced locally administered federal aid project(s), and I, **Kevin Quigley, Town of Cornwall Supervisor**, hereby certify that to the best of my knowledge and belief:

1. the project described in the Design Report is a true and accurate depiction of the proposed improvements;
2. the project is consistent with the approved scope, including any and all approved scope changes;
3. the project was developed in compliance with all applicable laws, including but not necessarily limited to the Americans with Disabilities Act;
4. the project was developed in compliance with all environmental regulations, including, but not necessarily limited to, the National Environmental Policy Act (NEPA) and the State Environmental Quality Review Act (SEQRA);
5. public participation has been sought and all public input has been considered during project development;
6. the final design is consistent with all commitments made as a result of public participation and coordination with regulatory and involved agencies (ie - NYSDEC, NYCDEP, SHPO, railroads, utility companies, affected municipalities, etc.);
7. all appropriate alternatives have been considered and evaluated;
8. all proposed improvements within the project limits, regardless of fund source, have been disclosed and appropriately discussed in the Design Report;

9. all property acquisitions have been identified and documented in the Design Report, and are necessary and appropriate for the project;
10. utility relocations have been minimized and are necessary for the project, and coordination with affected utility owners has begun;
11. all identified permits will be secured prior to advertising for bids;
12. all required utility and railroad agreements will be approved by NYSDOT and fully executed prior to advertising for bids;
13. and, the estimate accurately reflects the proposed work, is reasonable, and is broken into the appropriate shares.

November 8, 2012



**Charles W. Lee, P.E., Commissioner**  
**Orange County**

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**Kevin Quigley, Supervisor**  
**Town of Cornwall**

WHEREAS, the Town Board has applied for and been awarded a Community Development Grant from the County of Orange for the Tamara Lane drainage project, and

WHEREAS, the federal government commitment letter for year 2013 funding has not yet been received, and

WHEREAS, the Town has already invested in a complete survey of Tamara Lane and the Town Engineer has prepared a preliminary design of the entire drainage system, and

WHEREAS, the Engineer for the Town has recommended that the Town authorize commencement of work on the final design pending confirmation of the CDBG funding for the project,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Supervisor is authorized to execute the annexed Community Development Block Grant Program Municipal Agreement on behalf of the Town, and

2. That the Engineer for the Town is authorized to proceed with the final design for the project, pending confirmation of funding for the project from the Community Development Block Grant.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/268811  
254-65400  
1/11/13